

2007 DRAFTING REQUEST

Senate Amendment (SA-SB40)

Received: **05/24/2007**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Dyck**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **BAB**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**
Jon.Dyck@legis.wisconsin.gov

Pre Topic:

LFB:.....Dyck, Paper 797 -

Topic:

Vehicle emissions inspection program

Instructions:

Paper 797, Alternatives A-3, B-1, C-1. See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	agary 05/24/2007	jdyer 05/25/2007	nnatzke 05/25/2007	_____	sbasford 05/25/2007		
/2	agary 06/06/2007	jdyer 06/06/2007	pgreensl 06/06/2007	_____	mbarman 06/06/2007		

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<END>

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/?	agary	15/5/25 Ejd	nwn 5/25	nwn 5/25			

FE Sent For:

<END>

amount, however, would exceed the amount needed for the contract under DOT's 10% savings assumption by \$163,200. Therefore, the Committee could reduce the funding for the Department's emissions program contract appropriation by this amount.

18. DOT notes that the 10% savings estimate is conservative and that any additional savings associated with the program changes would lapse to the transportation fund at the end of 2008-09. Since there may be many transportation programs that could otherwise use any additional savings, the Committee could decide to modify the bill to allow any potential savings to be appropriated for other programs. This could be done by placing the funding for the program in 2008-09 in the Committee's appropriation and requiring the Department to request funding for the contract and implementation costs when more information is available. Any amounts placed in the Committee's appropriation not needed for the program could be used for other transportation programs when the Committee acts on the Department's request.

19. Whether or not the funding for the program is placed in the Committee's appropriation or is retained in DOT's contract appropriation, a case could be made that the 10% savings estimate is overly conservative. The Department indicates that the reason additional savings were not assumed is that, in the absence of any program changes, the renewal of the contract would result in increased costs, due to inflation. Since the payments under the contract have been held at a constant rate over the last three years of the contract, the Department estimates that testing costs would increase by about 10%, from \$13.3 million currently to \$14.7 million. However, since the testing volume would decrease by 25% under the provisions of the bill, it could be assumed that the costs under contract extension would be 25% lower than this estimated cost. Relative to the bill (presuming that the program implementation costs are still provided), this would result in a reduction of \$1,130,200 SEG in 2008-09.

20. The risk associated with assuming greater savings than are assumed under the bill is that not enough funding would be available for the contract if the savings are less than expected. In this event, the Department may be forced to request supplemental funding under s. 13.10 of the statutes. If, however, not enough funding is available in the transportation fund balance for providing such a supplement, approving the request may involve reducing the appropriations for other programs.

ALTERNATIVES TO BILL

A. Vehicle Emissions Program Funding Level

1. Adopt the Governor's recommendation to provide \$50,000 SEG in 2007-08 for increased cost of the emissions inspection program contract and place \$1,119,200 SEG in unallotted reserve in 2008-09 for implementation costs of program changes.

ALT A1	Change to Bill Funding	Change to Base Funding
SEG	\$0	\$50,000

2. Modify the Governor's recommendation by reducing the contract appropriation by \$163,200 SEG in 2008-09, which would provide the same level of funding that the Department estimates would be needed for the contract and the implementation costs associated with program changes in that year.

ALT A2	Change to Bill Funding	Change to Base Funding
SEG	-\$163,200	\$113,200

3. Modify the Governor's recommendation by reducing the contract appropriation by \$1,130,200 SEG in 2008-09, which would reflect an assumption of 25% savings for a contract extension in that year, plus provide \$1,119,200 for implementation costs.

ALT A3	Change to Bill Funding	Change to Base Funding
SEG	-\$1,130,200	-\$1,080,200

4. Delete provision.

ALT A4	Change to Bill Funding	Change to Base Funding
SEG	-\$50,000	\$0

B. Provision of the Funding

1. Transfer the funding provided for the vehicle emissions inspection program in 2008-09 (under the part "A" alternatives above) to the Joint Committee on Finance's supplemental appropriation. Specify that the Department of Transportation may make a request no later than the fourth quarterly meeting of the Committee under s. 13.10 of the statutes in 2007-08 to transfer some or all of this funding for the cost of implementing program changes and the cost of the contract. Specify that the Committee may transfer any amount not needed for implementation and contract costs to any other SEG appropriation in DOT.

2. Maintain current law.

C. Vehicle Emissions Inspection Program Changes

1. Approve the Governor's recommendation to: (a) exempt from emissions testing vehicles of model year 1995 or earlier and vehicles of model year 2006 and earlier that are over 8,500 pounds; and (b) require emissions testing of vehicles up to 14,000 pounds and vehicles powered with diesel fuel, beginning with vehicles of model year 2007. [This alternative reflects the bill with the changes in DOA's technical errata for the program.] Approve the Governor's other recommendations allowing DOT to adopt alternative methods of testing.

2. Modify the Governor's alternative by adopting one or both of the following changes:

a. Eliminating the requirement that diesel-powered vehicles be subject to emissions testing.

b. Eliminating the requirement that vehicles over 10,000 pounds, up to 14,000 pounds, be subject to emissions testing.

3. Delete provision.

Prepared by: Jon Dyck

Paper 709. Municipal Levy Restraint Program and sunset Expenditure Restraint Program. *Alternative 4 adopted, 16-0.*

Paper 710. State aid for tax exempt computers, cash registers and fax machines -- Sum Sufficient re-estimate.

Modification accepted by unanimous consent.

Motion 272. Property tax exemption for automatic teller machines. *Not adopted, 8-8.*

Other Motions

Motion 273. Compensation for elected town officers who also serve as a town employee. *Adopted, 16-0.*

Motion 261. Issuance of fireworks permits and the sale of fireworks. *Adopted, 16-0.*

Dept of Transportation -- State Patrol. (No Papers)

→ Motion 249. Impaired motorcycle riding campaign. *Adopted, 16-0.*

Dept of Transportation -- Departmentwide. (No Papers)

Dept of Transportation -- Motor Vehicles.

→ Paper 795. Implementation of the federal Real ID Act. *Alternative 5 not adopted, 8-8. Alternative 3 a,b,c Adopted, 11-5. Alternative 4. Not adopted, 6-10*

Motion 281. DMV Service Centers requirement. *Not adopted, 8-8.*

Motion 275. State driving certificate. *Not adopted, 8-8.*

Motion 282. DMV Service Centers requirements. *Not adopted, 8-8.*

→ Paper 796. Driver license agreement. *Alternative A-3, B-4 adopted 11-5.*

→ Paper 797. Vehicle emissions inspection program. *Alternative A-3, B-1, C-1 adopted 16-0.*

→ Motion 280. Vehicle emissions testing program study. *Adopted 16-0.*

Other Motions

→ Motion 277. Single license plate. *Adopted, 9-7*

Motion 283. Use of Real ID information. *(Amended) Not adopted, 8-8.*

→ Summary Item #6. License plate re-issuance. *Motion by to remove this item adopted 9-7.*

Board on Aging and Long-Term Care.

Paper 160. Ombudsman Program services. *Alternatives A-1, B-1, governor's position, adopted, unanimous consent.*

Paper 161. Ombudsman services for residents of residential care apartment complexes. *Alternative 4 adopted, 16-0.*

Dept of Health and Family Services -- Health

Paper 412. HIV/AIDS Program.

Motion 274. Alternative to Paper. *Adopted, 15-1.*

Paper 413. Wisconsin Chronic Disease Program. *Alternative A, modification, accepted by unanimous consent.*

Paper 413. Wisconsin Chronic Disease Program. *Alternative A, modification, accepted by unanimous consent. Alternative B-1 not adopted, 8-8.*

Paper 414. Tuberculosis Program. *Alternative 2 adopted 16-0.*

Other Motions

Motion 268. Infant mortality grants. *(Amended to sunset in two years). Adopted, 16-0.*

Motion 264. Grants to community health centers. *Adopted, 14-2.*

Budget Management and Compensation Reserves

Paper 170. Authority to lapse or transfer funds to the General Fund. *Alternative 3 adopted 16-0.*

Papers 171, 172, 173. Laid over to a later meeting.

(END)

in
5/24

L-jld

D-Note

LFB:.....Dyck, Paper 797 - Vehicle emissions inspection program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the bill as follows: ✓

2 1. Page 1405, line 4: delete "10,000" and substitute "10,000 8,500". ✓

3 2. Page 1701, line 3: after that line insert: ✓

4 "(5h) VEHICLE EMISSIONS INSPECTION PROGRAM SUPPLEMENTAL FUNDS. ✓

5 (a) By the date specified by the cochairpersons of the joint committee on finance ✓
6 for submission of requests for consideration at the 4th ✓ quarterly meeting of the
7 committee under section 13.10 ✓ of the statutes for the 2007-08 ✓ fiscal year, the
8 department of transportation ✓ may submit a request to the committee to supplement
9 the appropriation account under section 20.395 (5) (hq) ✓ of the statutes by up to
10 \$1,130,200 ✓ in fiscal year 2008-09 ✓ from the appropriation account under section
11 20.865 (4) (u) ✓ of the statutes, for expenditures related to implementing changes to,

1 and contract costs under, the vehicle emission inspection and maintenance program
2 under section 110.20 of the statutes, as affected by this act. The committee may
3 supplement the appropriation account under section 20.395 (5) (hq) of the statutes
4 by up to \$1,130,200 in fiscal year 2008-09 from the appropriation account under
5 section 20.865 (4) (u) of the statutes for these purposes and, notwithstanding section
6 13.101 (3) of the statutes, the committee is not required to find that an emergency
7 exists prior to making the supplementation.

8 (b) If the joint committee on finance determines that no moneys are needed, or
9 an amount less than \$1,130,200 is needed, to supplement the appropriation account
10 under section 20.395 (5) (hq) of the statutes in fiscal year 2008-09 as provided under
11 paragraph (a), the committee may, from the appropriation account under section
12 20.865 (4) (u) of the statutes, supplement in fiscal year 2008-09, by the amount of
13 the difference between \$1,130,200 and the amount of the supplement needed under
14 paragraph (a), any other segregated state funds appropriation under section 20.395
15 of the statutes, as affected by this act. Notwithstanding section 13.101 (3) of the
16 statutes, the committee is not required to find that an emergency exists prior to
17 making the supplementation.

18 (END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

date

LRBb0160/1dn

ARG: ^:...

Jld

ATTN: Jon Dyck

Please review the attached draft carefully to ensure that it is consistent with your intent. It is my understanding that item A. 3. and a portion of B. 1. of Paper 797 do not require drafting, as these funding changes will be incorporated into the new ch. 20 schedule prepared by the LFB.✓

As I interpret items A. 3. and B. 1. of Paper 797, it is the appropriation under s. 20.395 (5) (hq)✓ that is being reduced by \$1,130,200,✓ and no reduction is being made in the appropriation under s. 20.395 (5) (cq).✓ I have prepared the attached draft accordingly. However, it is not clear to me that s. 20.395 (5) (hq)✓ can be supplemented to cover costs of implementing program changes, as expenditure authority for such program changes under s. 20.395 (5) (hq) (rather than s. 20.395 (5) (cq)) is not apparent. Please let me know if you want the draft to allow both of these appropriations to be supplemented.

Please let me know if you would like any changes made to the attached draft or if you have any questions.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0160/1dn
ARG:jld:nwn

May 25, 2007

ATTN: Jon Dyck

Please review the attached draft carefully to ensure that it is consistent with your intent. It is my understanding that item A. 3. and a portion of B. 1. of Paper 797 do not require drafting, as these funding changes will be incorporated into the new ch. 20 schedule prepared by the LFB.

As I interpret items A. 3. and B. 1. of Paper 797, it is the appropriation under s. 20.395 (5) (hq) that is being reduced by \$1,130,200, and no reduction is being made in the appropriation under s. 20.395 (5) (cq). I have prepared the attached draft accordingly. However, it is not clear to me that s. 20.395 (5) (hq) can be supplemented to cover costs of implementing program changes, as expenditure authority for such program changes under s. 20.395 (5) (hq) (rather than s. 20.395 (5) (cq)) is not apparent. Please let me know if you want the draft to allow both of these appropriations to be supplemented.

Please let me know if you would like any changes made to the attached draft or if you have any questions.

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STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

6/6/07

Re: a/ Jon Dyck

- reviewed 6/1/60

- make following changes



State of Wisconsin
2007 - 2008 LEGISLATURE

in 6/6

LRBb0160/2
ARG:jld:nwn

RMK

LFB:.....Dyck, Paper 797 - Vehicle emissions inspection program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

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1 At the locations indicated, amend the bill as follows:

2 1. Page 1405, line 4: delete "10,000" and substitute "10,000 8,500".

3 2. Page 1706, line 3: after that line insert:

4 "(5d) VEHICLE EMISSIONS INSPECTION PROGRAM SUPPLEMENTAL FUNDS.

5 (a) By the date specified by the cochairpersons of the joint committee on finance
6 for submission of requests for consideration at the 4th quarterly meeting of the
7 committee under section 13.10 of the statutes for the 2007-08 fiscal year, the
8 department of transportation may submit a request to the committee to supplement
9 the appropriation account under section 20.395 (5) (hq) of the statutes by up to
10 \$1,130,200 in fiscal year 2008-09 from the appropriation account under section
11 20.865 (4) (u) of the statutes, for expenditures related to implementing changes to,

1 and contract costs under, the vehicle emission inspection and maintenance program
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4 by up to \$1,130,200 in fiscal year 2008-09 from the appropriation account under
5 section 20.865 (4) (u) of the statutes for these purposes and, notwithstanding section
6 13.101 (3) of the statutes, the committee is not required to find that an emergency
7 exists prior to making the supplementation.

8 (b) If the joint committee on finance determines that no moneys are needed, or
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11 paragraph (a), the committee may, from the appropriation account under section
12 20.865 (4) (u) of the statutes, supplement in fiscal year 2008-09, by the amount of
13 the difference between \$1,130,200 and the amount of the supplement needed under
14 paragraph (a), any other segregated state funds appropriation under section 20.395
15 of the statutes, as affected by this act. Notwithstanding section 13.101 (3) of the
16 statutes, the committee is not required to find that an emergency exists prior to
17 making the supplementation.”.

18 (END)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0160/2
ARG:jld:pg

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